



1 **UNITED STATES DISTRICT COURT**  
2 **DISTRICT OF NEVADA**

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 ALAN RAY,

7 Defendant.

Case No. 2:20-mj-1098-VCF

**FINDINGS AND ORDER**

8 Based on the pending Stipulation between the defense and the government, and good  
9 cause appearing therefore, the Court hereby finds that:

10 1. The parties desire to continue the preliminary hearing to facilitate pre-  
11 indictment resolution, and the government has provided defense counsel with limited Rule  
12 16 discovery for that purpose. The parties are in active plea negotiations and require more  
13 time to resolve this matter pre-indictment. The Court finds good cause to continue the  
14 hearing to allow the parties to reach a pre-indictment resolution.

15 2. Both counsel for defendant and counsel for the government agree to the  
16 continuance.

17 3. Defendant is in custody and agrees to the continuance.

18 4. The continuance is not sought for the purposes of delay, but to allow the  
19 parties to thoroughly vet the case and reach an agreement as to the final resolution of this  
20 case.

21 5. Denial of this request could result in a miscarriage of justice, and the ends of  
22 justice served by granting this request outweigh the best interest of the public and the  
23 defendants in a speedy trial.

6. The additional time requested by this stipulation is excludable in computing the time within which indictment must be filed pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(b), and considering the factors under 18 U.S.C. § 3161(h)(7)(A) and (B)(i) and (iv).

THEREFORE, IT IS HEREBY ORDERED that the preliminary hearing in the above-captioned matter, previously scheduled for May 10, 2021, at 4:00 p.m., be vacated and continued to August 9, 2021 at 4:00 pm in LV Courtroom 3D before Magistrate Judge Cam Ferenbach.

DATED this 6<sup>th</sup> day of May, 2021.

  
HONORABLE CAM FERENBACH  
UNITED STATES MAGISTRATE JUDGE